

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO

Hearing Information

|                        |                                   |                 |  |
|------------------------|-----------------------------------|-----------------|--|
| Debtor(s):             | SHAROL ELIZER CARTAGENA<br>ESPADA | Case<br>Number: | 20-02096-ESL13                               |
|                        |                                   | Chapter:        | 13   |
| Date / Time /<br>Room: | 09/29/2020 at 10:00 AM            | Courtroom:      | Skype Business Video &<br>Audio Conferencing |
| Bankruptcy<br>Judge:   | Hon. ENRIQUE S. LAMOUTTE INCLAN   |                 |  |
| Courtroom<br>deputy:   | DARHMA ZAYAS BUJOUVEN             |                 |  |
| Reporter/ECR:          | EDNA L SANABRIA LEBRON            |                 |  |

Minutes Contested Chapter 13 Hearing  
Hon. Enrique S. Lamoutte

Matter:

#28 FFI Holdings LLC, Puerto Rico's motion requesting entry of order for surrender of pledge vehicle #29 Debtor's opposition

Appearances:

|   |  |
|---|--|
| <input type="checkbox"/> Debtor   | <input checked="" type="checkbox"/> Movant/Creditors/Others: |
| <input checked="" type="checkbox"/> Debtor's Attorney <i>M. Caselle</i> | <i>Jason R. Aquino, FFI</i>                                  |
| <input checked="" type="checkbox"/> Trustee <i>Jose R. Carrion</i>      |  |

I. Chapter 13 Plan Confirmation, Motion for Post Confirmation Modification and Objections:

[ ] Upon debtor(s)' failure to: \_\_\_ appear at the 341 meeting of creditors; \_\_\_ appear at this hearing on confirmation; \_\_\_ make current payments to the Chapter 13 trustee; the instant case is hereby DISMISSED pursuant to § 1307(c). Debtor(s) attorney(s) is/are awarded \$ \_\_\_\_\_ as fees under § 503(b)(2).

[ ] Creditor(s)' application to withdraw objection is/are hereby granted. Re: docket number(s): \_\_\_\_\_.

[ ] The Chapter 13 plan dated \_\_\_\_\_ (Dkt. # \_\_\_\_\_) is [ ] CONFIRMED.

[ ] NOT CONFIRMED. Reasons:

[ ] The provisions in PR LBR 3015-3 apply. The period is extended to \_\_\_\_\_ days.

[ ] Debtor(s) is/are granted \_\_\_\_\_ days to file an amended chapter 13 plan. The trustee and parties in interest are granted \_\_\_\_\_ days to file report and/or opposition to the same. If the trustee's report is favorable and there are no objections, the amended chapter 13 plan may be confirmed.

[ ] The Motion for post confirmation modification pursuant to § 1329 of plan dated \_\_\_\_\_ (Dkt. # \_\_\_\_\_) is hereby [ ] GRANTED; [ ] DENIED; Reasons:

[ ] Debtor(s) is/are granted \_\_\_\_\_ days to file an amended motion for post confirmation modification. The trustee and parties in interest are granted \_\_\_\_\_ days to file report and/or opposition to the same. If the trustee's report is favorable and there are no objections, the amended motion for post confirmation modification may be granted.

[ ] Debtor(s) shall file \_\_\_\_\_ within \_\_\_\_\_ days. The Chapter 13 Trustee and parties in interest are granted \_\_\_\_\_ days thereafter to state their position re confirmation of chapter 13 plan or request for post confirmation modification.



**II. Chapter 13 trustee and parties in interest:**

☐ The Chapter 13 trustee and parties in interest, are granted \_\_\_\_\_ days to file report on confirmation and/or objections to the chapter 13 plan/motion for post confirmation modification of plan dated \_\_\_\_\_ (Dkt. # \_\_\_\_\_); or to the amended plan/motion to be filed within the time specified in Part I. If the chapter 13 trustee recommends confirmation and other parties in interest do not object, \_\_\_\_\_ the chapter 13 plan may be confirmed; \_\_\_\_\_ or the motion for post confirmation modification may be granted.

**III. Dismissal Notice:** Upon debtor(s)' failure to timely comply with the action(s) specified above in Part I within the allowed period, the court may enter an order dismissing or converting the case to Chapter 7 pursuant to 11 U. S. C. § 1307.

**IV. Attorney's Fees:**

- (1) ☐ PR LBR 2016-1(f)(1) \$ \_\_\_\_\_.
- (2) ☐ Plan provides for compensation pursuant to PR LBR 2016-1(a). The amount of \$ \_\_\_\_\_ is hereby approved.
- (3) ☐ Final fee to be determined upon approval of application for compensation filed or to be filed within fourteen (14) days from the date of this order.
- (4) ☐ Interim fee allowed: \$ \_\_\_\_\_ Final fee to be determined upon approval of application for compensation filed or to be filed within fourteen (14) days from the date of this order. If application for compensation is not timely filed, the attorney's fee will be the amount authorized herein.

**V. Continuance:** The confirmation hearing is continued to: \_\_\_\_\_; ☐ without a date.

**VI. Other Contested Matters:**

☐ The parties are granted \_\_\_\_\_ days to file a settlement agreement: \_\_\_\_\_.

☐ Debtor(s)' request for ☐ voluntary dismissal; ☐ conversion to chapter \_\_\_\_\_, is hereby GRANTED.

☐ There being no opposition, debtor(s)' request (Dkt. # \_\_\_\_\_) to vacate the order of dismissal (Dkt. # \_\_\_\_\_) is hereby GRANTED.

☐ The motion to dismiss filed by \_\_\_\_\_ (Dkt. # \_\_\_\_\_) is hereby ☐ GRANTED. ☐ DENIED.  
Reason(s):

☐ The objection to Claim No. \_\_\_\_\_ (Dkt. # \_\_\_\_\_), is hereby ☐ GRANTED. ☐ DENIED. ☐ WITHDRAWN.  
Reason(s):

☐ The hearing on contested matter(s) re dkt. #s \_\_\_\_\_ is continued to: \_\_\_\_\_.

☒ Other: FFI Holdings LLC's motion requesting entry of order for surrender of pledged vehicle (dkt. # 28) is hereby denied as section 541(b)(8) is inapposite since the pledged vehicle has been in debtors' possession, and because the confirmed chapter 13 plan (dkt. # 18) provides in full for the payment of FFI's secured claim in full.

The court notes that there are only two claims filed and that FFI is the only creditor to receive payments under the confirmed plan.

  
/s/Enrique S. Lamoutte  
U.S. Bankruptcy Judge

